

Remarks

After entry of the subject Amendment, claims 1-4, 6-12, and 14 will remain in the application with claims 1 and 11 being in independent form. Claims 1 and 11 have been amended to place these claims in condition for allowance. The dependency of claims 6-8 and 14 has been amended due to the cancellations of claims 5 and 13. Claims 2-4, 9-10, and 12 remain unchanged.

Claims 1-2 and 11-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Carre et al. (4,784,244) in view of Scott (4,529,067). Claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Carre et al. in view of Scott and further in view of Drennen et al. (6,412,610). Also, claims 1-2, 4 and 11-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tamasho et al. (6,397,981) in view of Scott. Finally, claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Tamasho et al. in view of Scott and further in view of Drennen et al. Claims 5-10 and 13-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant thanks the Examiner for the allowance of claims 5-10 and 13-14. In accordance with this allowance, Applicant has amended claim 1 to include the limitations of allowed dependent claim 5 and has amended claim 11 to include the limitations of allowed dependent claim 13. Intervening claims 2 and 12 each require that the electric actuator include an electric motor, which is not necessary to support the novelty of the secondary actuator as set forth in allowed claims 5 and 13. Hence, intervening claims 2 and 12 have not been incorporated into independent claims 1 and 11.

Applicant notes the procedures regarding an amendment filed under §116, which state that an amendment after final rejection may be made canceling claims or complying with any requirement of form expressly set forth in a previous Office Action. Also, an amendment placing the application in condition for allowance, by for example accepting allowed claims, may be admitted. As stated at MPEP Section 714.13, the proposed

amendment should be given sufficient consideration to determine whether the claims are in condition for allowance.

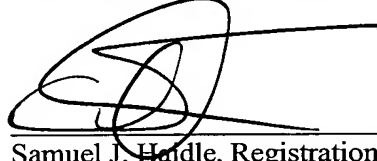
In summary, it is respectfully requested that this §116 amendment be admitted because the applicant is merely accepting the allowed claims from the previous Office Action and there are no new issues being presented. To that end, it is respectfully submitted that the Application is now presented in condition for allowance, which allowance is respectfully solicited.

The remaining references cited but not applied to the claims have been considered. Since the Examiner has apparently considered these references as less pertinent than the above discussed reference(s), further discussion of the non-applied references, at this time, is considered unnecessary. However, it is respectfully submitted that the claims in the subject patent application patentably define over all references of record either independently or in combination.

The Commissioner is authorized to charge our Deposit Account No. 08-2789 for any additional fees or credit the account for any overpayment.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS, P.C.

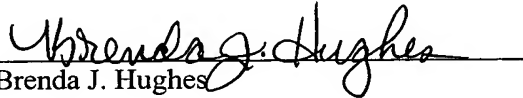


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CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that the enclosed **Amendment After Final** and **return post card** are being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope as "Express Mail Post Office to Addressee", **Mailing Label No. EV 612 857 596 US** and addressed to **Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**, on **January 4, 2006**.


Brenda J. Hughes

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